IN RE: PETITION FOR ADMINISTRATIVE ZONING VARIANCE

ME / COMINE TO A DOOR

NE/S 2Wiltshire Road, 250 ft. +/- NW of c/l Magnolia Road

49 Wiltshire Road

15th Election District 7th Councilmanic District

Cuy Icenroad, et ux

Petitioners

* BEFORE THE

ZONING COMMISSIONER

* OF BALTEMORE COUNTY

k Case No. 97-249-A

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Guy Tcenwoad and Cheryl Icenroad, his wife, for that property known as 49 Wiltshire Road in the Wilkshire subdivision of Baltimore County. The Petitioners herein seek a variance from Sections 400.1 & 2 of the Baltimore County Zoning Regulations (BCZR) to permit a carport within 9 ft. of the centerline of an alley and 0 ft. from the side property lines in lieu of the 15 ft. and 2.5 ft. respectively. The subject property and requested relief is more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship

SOFT ECTIVE FOR ELVE

upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

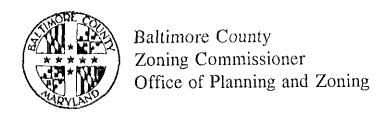
THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of January, 1997 that the Petition for a Zoning Variance from Sections 400.1 & 2 of the Baltimore County Zoning Regulations (BCZR) to permit a carport within 9 ft. of the centerline of an alley and 0 ft. from the side property lines, in lieu of the 15 ft. and 2.5 ft., respectively, be and is hereby GRANTED, subject, however, to the following restrictions:

- t. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2. The carport shall remain open on the three exposed sides and shall not be enclosed at any time.

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

LES:mmn





Suite 112, Courthouse 400 Washington Avenue Towson, Maryland 21204 (410) 887-4386

January 9, 1997

Mr. and Mrs. Guy Icenroad 49 Wiltshire Road Baltimore, Maryland 21221

RE: Petition for Administrative Variance

Case No. 97-249-A

Property: 49 Wiltshire Road

Dear Mr. and Mrs. Icenroad:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

Lawrence E. Schmidt

Zoning Commissioner

LES:mmn



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

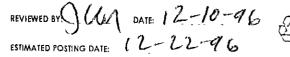
for the property located at

F V C	49 WILTSHIRE PD.
	which is presently zoned DR 10.5
This Petition shall be filled with the Office of Zoning Administra	ation & Daysionment Monagement
hereto and made a part hereof, hereby petition for a Variance fron	n Section(s)
A CARPORT VITHING! ATTA	
from the SINE PROPERTY LINE	CENTERLINE of AN ALLEY AND O'S IN LIEN OF EDD 15 AND 2.51
にいっている。 of the Zoning Regulations of Baltimore County, to the Zoning Law practical difficulty)	of Baltimore County; for the following reasons: (indicate hardship or
	e e e e e e e e e e e e e e e e e e e
Property is to be posted and advertised as prescrib	ed by Zoning Populations
I, or we, agree to pay expenses of above Variance advertising or	eet by Zorning Regulations. Setting, etc., upon filing of this petition, and further agree to and are to
be bound by the zoning regulations and restrictions of Baltimore (Sounty adopted pursuant to the Zoning Law for Baltimore County
	, and a sum of partition of country,
•	
	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the
Charles & Durch	legal owner(s) of the property which is the subject of this Petition
Contract Purchaser/Lessee	Legal Owner(s);
	Com LCENTONA
(Type or Print Name)	(Type or Print Name)
	Maria de la companya della companya
Signature	Elevation Silenteries
	Signature /
	CHERY ICENROND
Address	(Type or Print Name)
	Oda, Oslandia
City State Zipcode	Signature
Attorney for Petitioner	
This is a subject of the subject of	49 WILLEY DE 29/70
(Type or Print Name)	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
	THORE NO
	Balto. Md. 21221
Signature	City State Zincode
	Name, Address and phone number of representative to be contacted
	Guy TRENPORD.
Address Phone No.	Name SAME
1 mater (40)	S A L
City State Zipcode	Address Phone No
,	rnone No
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en requested and/or found to be required, it is ordered by the Loning Commissioner of Baltimore County, this ____ day of _ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zaning Regulations of Baltimare County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County







Printed with Soyboan Ink on Recycled Paper

ITEM #: 249

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.
That the Affiant(s) does/do presently reside at 49 Wiltshire rd
address
$\frac{15aLto}{\text{City}} \frac{710}{\text{State}} \frac{aldal}{\text{Zip Code}}$
That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative
Variance at the above address: (indicate hardship or practical difficulty)
Due to the size of our yard itis
Necessary to utilize all of our
appointed land in order to create
a parking space and cover. the
Wehicle is 46 years old and serves
as a class Room for my son's and
Friends to Learn as I restore the
Car
That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and
That Athania a sellowings (2) that it a brotest is ment, with a selection of the selection
may be required to provide additional information.
may be required to provide additional information.
may be required to provide additional information. Aug Michael Scannocol
Mus Michael Scennocol & Clerk Out Scennocol
Sur Michael Icensoco Lenguard
may be required to provide additional information. Sur Michael Jewsood Survey
may be required to provide additional information. State of Maryland, County of Baltimore, to wit: I HEREBY CERTIFY, this
may be required to provide additional information. State of Maryland, County of Baltimore, to wit: I HEREBY CERTIFY, this day of County aforesaid, personally appeared Cheryland, Am Acensonal.
may be required to provide additional information. State of Maryland, County of Baltimore, to wit: I HEREBY CERTIFY, this
may be required to provide additional information. State of Maryland, County of Baltimore, to wit: The Affiants(s) berein personally known or satisfactorily identified to me as such Affiants(s), and made oath in due form of law
may be required to provide additional information. Jun Michael Journal Part Par
may be required to provide additional information. Jun Michael Journal Part Par

20NING DESCRIPTION FOR 49 WILTSHIRE RD. (address)
Beginning at a point on the NE side of (north, south, east or west) WILTSHIPE RO. which is 40 name of street on which property fronts) which is (number of feet of right-of-way width) wide at the distance of 250/1/ N.W. of the centerline of the nearest improved interest in the centerline of the nearest improved in the nearest im
inproved intersecting street PLA CALO CALO
(number of feet of right-of-way wildth) wide. *Being Lot # / 65
in the subdivision of WILTS HIPE
(name of subdivision) as recorded in Baltimore County Plat Book # / 6, Folio # / 6, containing 1600 # 6. (square feet of acres) Also known as 49 6/14 TSH 12E Po (property address) Ind located in the 15 Election District, Councilmanic District.
Councilmanic District, Councilmanic District.

NAME OF THE PERSON OF THE PERS				SU S	Control of Spirit L	nging varion (n. 19)	
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VALIDATION - VALIDATION - VALIDATIONER			5	Harveord		2-10-96	BALTIMORE COUNTY, MARYLAN FFICE OF FINANCE - REVENUE DIVIS
VALIDATION OR SIGNATURE OF CASHIER LOW-CUSTOMER	Distriction of the second		UARIANG. COIC	D :	.		BALTIMORE COUNTY, MARYLAND FFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT
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CERTIFICATE POSTING

	RE: Case No.: 97-249-A
	Petitioner/Developer:
	MIKE ICENROAD
	Date of Hearing/Closing: 1-6-97
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	•
Attention: Ms. Gwendolyn Stephens	
Ladies and Gentlemen:	•
were posted conspicuously on the proper	s of perjury that the necessary sign(s) required by law rty located at 49 Wilshier Road
The sign(s) were posted on	Dec. 21 1996 (Month, Day, Year)
VARIANCE	Sincerely, Olamo Del 12/11/91 (Signature of Sign Poster and Date) Thomas P. Ogle Sk (Printed Name) 325 Nicholson Rope (Address) Baltimore, MD 31331 (City, State, Zip Code) (410) 687-8405

97-249-1



Baltimore County
Department of Permits and
Development Management

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

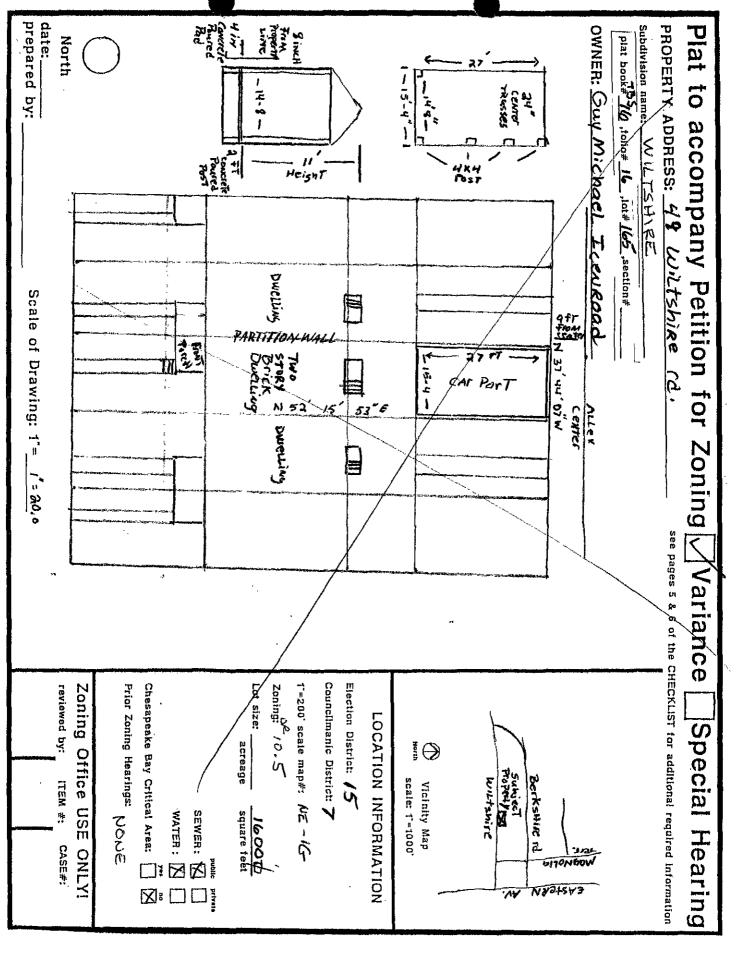
- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

	ARNOLD JABLON, DIRECTOR
For newspaper advertising:	والله الله الله الله الله الله الله الله
Item No.: 249 Petitioner: Guy	TCENROAD
Location: 49 WILTSITIE	RD BALTO, Md. ZIZZI
PLEASE FORWARD ADVERTISING BILL TO:	,
NAME: ANA E	
ADDRESS: ////E	
PHONE NUMBER: 391-7826	TETT MARKAGE TO MARK SCHOOL TO THE THEORY THE THEORY THE THEORY T



MICROFILMED



Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than 12-22-96.

Format for Sign Printing, Black Letters on a White Background:

ZONING	NOTICE
ADMINISTR VARIAN	1

Case No.: 91-249-19

centerline of an alley and o'

required 15 and 2.5 respectively.

PUBLIC HEARING?

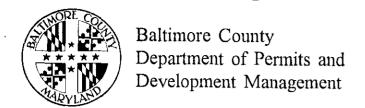
PURSUANT TO SECTION 26-127(b) (1), <u>BALTIMORE COUNTY CODE</u>, AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON

1-6-96

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING, 111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

December 19, 1996

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-249-A (Item 249)
49 Wiltshire Road
NE/S Wiltshire Road, 250'+/- NW of c/l Magnolia Road
15th Election District - 7th Councilmanic
Legal Owner(s): Guy Icenroad and Cheryl Icenroad
Post by Date: 12/22/96
Closing Date: 01/06/97

Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice serves as a refresher regarding the administrative process.

- 1) The Zoning Notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.
- 2) The "Closing Date" noted above, is the deadline for a neighbor to file a formal request for a public hearing.
- 3) After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. He/She may (a) grant the requested relief, (b) deny the requested relief, or (c) Order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days) as to whether or not your petition has been granted, denied, or will go to public hearing.
- 4) In cases that must go to a public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign, must be forwarded to this office.

PLEASE UNDERSTAND IS NOT THAT ON THE CLOSING DATE. THE PROCESS REVIEW. THROUGH FINAL ORDERS COMPLETE. THE FILE MUST GO ARE AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

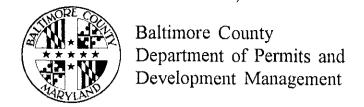
Arnold Jablon

Director

cc: Guy and Cheryl Icenroad







Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

January 7, 1997

Mr. and Mrs. Guy Icenroad 49 Wiltshire Road Baltimore, MD 21221

RE: Item No.: 249

Case No.: 97-249-A

Petitioner: Guy Icenroad, et ux

Dear Mr. and Mrs. Icenroad:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on December 10, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.

Zoning Supervisor

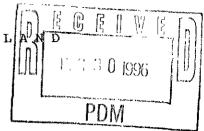
WCR/re
Attachment(s)



Nama and American

BALTIMORE COUNTY, MARYL

INTEROFFICE CORRESPONDENCE



TO:

Arnold Jablon, Director

Date: December 26, 1996

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Chief

Development Plans Review Division

SUBJECT:

Zoning Advisory Committee Meeting

for December 30, 1996

Item No. 249

The Development Plans Review Division has reviewed the subject zoning item. A typical right-of-way for an alley is 20 feet, therefore, a 10-foot right-of-way line from the centerline shall be shown, and the proposed carport should be outside of it.

RWB:HJO:jrb

cc: File

ZONE43C

High the state of the state of

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE:

December 19, 1996

TO:

Arnold Jablon, Director

Permits and Development

Management

FROM:

Pat Keller, Director

Office of Planning

SUBJECT:

Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 238, 244, 245, 247, 248, 249, 250, 252, 253, 255, and 256

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

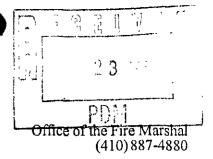
Prepared by:

Division Chief:

PK/JL

Baltimore County Government Fire Department





700 East Joppa Road Towson, MD 21286-5500

DATE: 12/19/96

Arnold Jablon, Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204 MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF DEC. 23, 1996.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

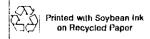
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWINGITEMNUMBERS: 245,246,247,248, 249,250,252,253,254 AND 256.

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File





David L. Winstead Secretary Parker F. Williams Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 12.20.34 Item No. 249 (jcm)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

P. J. Brille

Ronald Burns, Chief

Engineering Access Permits

Division

LG

My telephone number is ______

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO:

MD9

FROM:

R. Bruce Seeley

Permits and Development Review

SUBJECT: Zoning Advisory Committee

Meeting Date: Du 23

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

255

257

RBS:sp

BRUCE2/DEPRM/TXTSBP

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TO WHOM IT MAY CONCERN,

WE RESIDE DIRECTLY WERT TO MB. AND MBS. ICENBOOD OF 45 UILTSHIRE ROAD. WE ARE WRITING THIS LETTER IN REPERENCE TO THE CARPORT THAT HAS RECENTLY BEEN ADDED TO THE PROPERTY OF 45 WILTSHIRE ROAD.

THE CARPORT DOES NOT IN ANY MANNER HINDER, DAMAGE,
DESTRUCT OR DISTURE US, OUR PROPERTY OR OUR NEIGHBORHOOD.
IT IS SCUNDLY BUILT AND SECURED. IT HAS BEEN WELL CRAPTED
AND HAS A MICE FINISH. IT HAS DEVICUELY SEEN WELL THOUGHT OUT
AND CAREFULLY BUILT, I THINK THAT IT IS ASSOLUTELY ASSURD THAT
ANYONE WOULD HAVE A SAD WORD TO SAY ASOUT IT. WE HAVE NO
RESERVATIONS ASOUT THE CARPORT.

THANK YOU FOR YOUR TIME

Bobby Jo Akers

CHESTER E. AKERS JA.

Cheste skins M

SAMA OL YBRUG

249

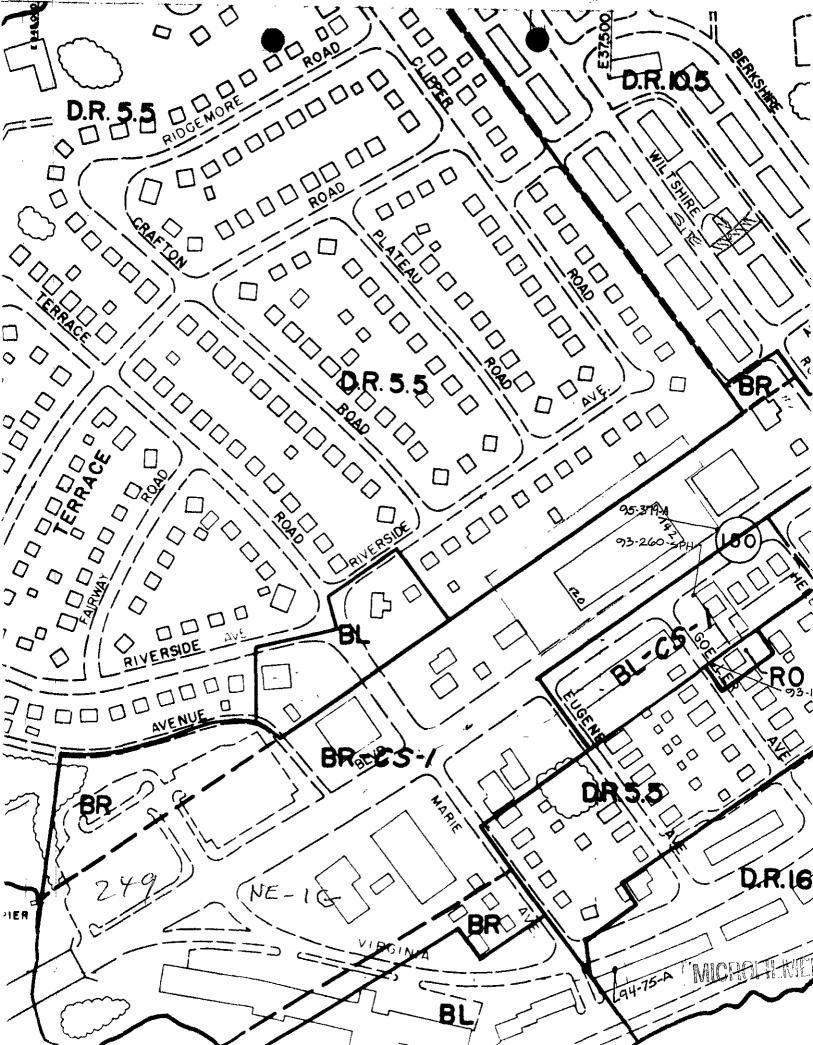
To Whom Dt May Concern,

We are writing in reference to our neighbors, Mike and Cheryl Deenroad, who live at 49 Wiltshire Road. The carport that they built during the summer seems to be in question. Ot is located in their backyard and is not on anyone else's property. The carport is not an eyesore nor does it block our view. Since it is very hard to park our wehicles out on the street, alot of people have parking pads and even carports in their backyards. The carport is just protection for their wehicle. You have people that park their commercial work wehlers in front of our houses and nothing is said about that. We feel that improving someone's property should be welcomed. As we said before we have no problem with the carport

Thank Yow,

249

Leonard & Bonnie Sadowski 45 Wiltshire Rd.



Plat to accompany	accompany Petition for Zoning Variance Special Hearing	Special Hearing
PROPERTY ADDRESS: 49 6	Wiltshike rd. see pages 5 & 6 of the C	see pages 5 & 6 of the CHECKLIST for additional required information
Subdivision name: Wil TSHIRE		
plat book#710, tolio# 16, lot# 162, section#	section*	
OWNER: Guy Michael Ica	ILEMROAD MILEY	
	The state of the s	EASte ANOLI
	4	
Server Cerver		Subject Property Page
	John Land	Wittsnife
150) 144/1-1	<i>1</i> V3	
\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\		Vicinity Map
1-15-4"-1		North scale: 1'=1000'
	Parameter de la constante de l	LOCATION INFORMATION
		Election District: 15
	, S/	Councilmanic District: 7
145,2	;	1'=200' scale map#: NE - 15-
Transfer Tra	DWELLING OF STORY & DWELLING	Zoning: 10.5
- 14-8-		Lot size: 1600th
Caucife Concert		
	1224	SEWER: K
		WATER: [X]
		Chesapeake Bay Critical Area:
		Prior Zoning Hearings: NONE
- / N / N / N / N / N / N / N / N / N /		Zoning Office 118E ONI VI
North /) # 10 # 11
date: (8)	Scale of Drawing: 1'= 1'= 30.0	9 cm 24

MICHOFIL RATIO

